

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: July 18, 2006

SUBJECT: Reports of Significant Developments and Activities
Ending on July 7, 2006

FROM: Richard C. Karl, Director
Superfund Division

TO: Bharat Mathur
Acting Regional Administrator

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Acting Deputy Regional Administrator

The activities listed below are organized by site-specific activities and training/conferences:

SITE-SPECIFIC ACTIVITIES

Response ("Springfield Belle" Used), East Chicago, Indiana

The "Springfield Belle" is a mobile self-contained water treatment system designed for use in emergency situations. The U.S. Army Corps of Engineers (USACE) is constructing a confined disposal facility in East Chicago, Indiana. The site is heavily contaminated with petroleum and metals, and is separated from the Indiana Harbor Canal by a 100 year old break wall. The water table behind the break wall is rising, putting pressure on the break wall, and causing it to fail. To lower the groundwater gradient at the south canal wall, the United States Environmental Protection Agency (U.S. EPA), through a mutual contractual agreement with the USACE, utilized U.S. EPA's existing emergency response contract and mobile wastewater treatment system (Springfield Belle) at the site. The Belle operated at the site through March, April, and May. A total of 1,326,698 gallons of water were treated at the site. The system was effective at lowering the groundwater level in the immediate vicinity of the extraction wells, and relieving some of the hydrostatic pressure on the seawall during the spring rains. The USACE will be bringing a permanent water treatment system online shortly.

Contact: Josie Clark (312-886-0130)

Referral of Civil Litigation Filed, H.O.D. Landfill Superfund Site, Antioch, Illinois

On June 14, 2006, the U.S. EPA Region 5 filed a Referral of Civil Litigation Package with the U.S. Department of Justice (DOJ) against the Waste Management of Illinois, Inc., and Morton International, Inc., for the H.O.D. Landfill Superfund site, Antioch, Illinois. The referral requests that a complaint be filed to collect overdue oversight costs of \$866,661.74, as well as interest on these costs, totaling \$1,015,188,450 as of May 30, 2006. U.S. EPA incurred these costs in overseeing completion of the remedial design and remedial action (RD/RA) at the H.O.D. Landfill site, under a unilateral administrative order (UAO) issued on April 14, 1999. Construction activities at the site were initiated on August 21, 2000, and were substantially completed on June 17, 2001. Therefore, the six-year statute of limitations under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 113(g)(2)(B) runs out on August 21, 2006.

Outboard Marine Corporation (OMC), another generator of hazardous waste at the site, has undergone bankruptcy and DOJ filed a timely proof of claim on March 1, 2005, resulting in a consent decree (CD) providing a general unsecured of \$243,000 for the H.O.D. Landfill site. U.S. EPA submitted a Notice of Intent to Establish a Special Account for the Site in May 2006.

Contact: Karen Mason-Smith (312-886-6150)

Administrative Complaint Filed, Aldi, Inc., Dwight, Illinois

On July 5, 2006, the Agency filed an Administrative Complaint against Aldi, Inc., Dwight, Illinois. The Administrative Complaint alleges violations of the Comprehensive Environmental Response, Compensation, and Liability Act Section 103 and the Emergency Planning and Community Right-to-Know Act Sections 304 and 312. On August 22, 2005, Aldi, Inc., had a 600 pound release of anhydrous ammonia into the environment. Anhydrous ammonia is a hazardous substance under the Comprehensive Environmental Response, Compensation and Liability Act and an extremely hazardous substance under the Emergency Planning and Community Right-to-Know Act with a reportable quantity (RQ) of 100 pounds.

The person in charge of the facility notified the National Response Center nine hours and 15 minutes after the release. The owner or operator of the facility notified the State Emergency Response Commission (SERC) nine hours after the release, and the Local Emergency Planning Committee (LEPC) 8 hours and 50 minutes after the release. The owner or operator of the facility

provided the SERC and the LEPC with the written follow-up report 23 days after the release.

On March 1, 2006, the owner or operator of the facility submitted to the SERC, the LEPC, and the local fire department the completed Emergency and Hazardous Chemical Inventory form for the 2003 and 2004 calendar years. The Enforcement Response Policy allows the Agency to issue a flat penalty for past year violations of Section 312 of EPCRA. The proposed penalty in the Administrative Complaint is \$93,433.20. Aldi, Inc. will have 30 days to respond.

Contact: James Entzminger (312-886-40620)

**Emergency Planning and Community Right-to-Know Act Inspection,
G&K Services, Inc., Justice, Illinois**

On June 28, 2006, George Rancich and William Sandstrom, EPA Region 5 Chemical Emergency Preparedness and Prevention Section (CEPPS), conducted an Emergency Planning and Community Right-to-Know Act (EPCRA) compliance inspection at G&K Services, Inc., in Justice, Illinois. G&K Services is involved in the laundering of industrial uniforms and other industrial items, Standard Industrial Classifications (SIC) 7218. The laundering operations involve the use of highly alkaline cleaning solutions containing sodium hydroxide and other hazardous chemicals. In addition, some facilities in this SIC code have waste water treatment operations using and storing sulfuric acid, ferric chloride, and other chemicals to treat their effluent waste water. This inspection was conducted to determine if this facility has hazardous chemical reporting requirements under EPCRA Section 312 and their compliance with those requirements. To date, 10 facilities have been brought into compliance as a result of the Industrial Laundry Sector Initiative Inspections. The results of the inspection will be reviewed by CEPPS to determine if follow up action is required.

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TRAINING/CONFERENCES

Radiological Emergency Preparedness Exercise, Columbus, Ohio

On June 28, 2006, U.S. EPA participated in a Department of Homeland Security (DHS)/Federal Emergency Management Agency

(FEMA) full ingestion phase radiological emergency preparedness exercise, conducted at the State of Ohio Emergency Operations Center located in Columbus, Ohio. The purpose of the exercise was to test the State response during the intermediate phase following an incident at the Beaver Valley nuclear power plant, and to practice the federal response, primarily set-up of the Department of Energy/National Nuclear Security Agency's (DOE/NNSA) Federal Radiological Monitoring and Assessment Center (FRMAC) for which U.S. EPA provides support. The intermediate phase following a radiological incident generally involves monitoring and decision making to support implementation of protective actions, including food embargoes and population relocations. FRMAC management eventually transfers from DOE/NNSA to U.S. EPA for late phase response activities. For this Ingestion Pathway Exercise (IPX), Region 5 On-Scene Coordinator (OSC) Joe Fredle and Health Physicist (HP) Eugene Jablonowski acted as the Regional representatives on the FRMAC. Additionally, they also provided technical support to the multi-agency Advisory Team and to the State of Ohio Emergency Operations Center (EOC) staff, since U.S. EPA Headquarters Office of Radiation staff were not able to participate in this IPX. This Ohio IPX was the second of three in the Midwest, where On-Scene Coordinator James Justice and HP Eugene Jablonowski participated in the first IPX held on June 6 and 7 in Michigan, and a third IPX is scheduled for early August in Illinois.

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Region 5 States/EPA Sediment Forum, Chicago, Illinois

On June 8, 2006, the third States/EPA Sediment Forum call of 2006 was held. Agenda items included an update on Great Lakes Legacy Act (GLLA) sediment remediation projects. Of note, a feasibility study is underway for a portion of the Trenton Channel, Michigan, near the BASF and Arkema sites. A GLLA proposal is expected in the future. An overview of the Sheboygan Harbor and River, Wisconsin, Superfund remedial project was given, for which dredging of the upper river is scheduled to begin in June. The recently signed Great Lakes Legacy Act rule, and the initiation of the Great Lakes Water Quality Agreement (GLWQA) Review were discussed. Review Working Groups were formed to review the operation and effectiveness of the GLWQA. One specific to sediments is charged with review of the two annexes for dredging and contaminated sediment.

An Ashtabula River, Ohio, GLLA project update was next, with U.S. EPA approval of the Toxic Substances Control Act (TSCA) permit,

construction has begun on the disposal facility. An Office of Research and Development (ORD) research project is also getting underway to evaluate the effects of dredging with a focus on dredging residuals and resuspension. A goal has been set to initiate dredging on September 1, 2006. The call ended with the informative "Around the Region" whereby updates were provided on sediment sites of interest and other projects or issues. The purpose of the Sediment Forum is to promote cross program and interagency coordination and communication in addressing contaminated sediment sites.

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